

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RON KOLESAR, individually and on behalf of
all others similarly situated, and, BLIND
AMBITIONS GROUPS, on behalf of its
members and all others similarly situated,

Plaintiffs,

v.

1ST CHOICE COMMUNITY FCU,

Defendant.

Case No. 1:12-cv-00301-SJM-SPB

STIPULATION OF DISMISSAL

Plaintiffs Ron Kolesar and Blind Ambitions Groups (“Plaintiffs”), and Defendant 1st Choice Community Federal Credit Union (“Defendant”), by and through their undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1)(A) and Fed. R. Civ. P. 23(e), hereby stipulate to the dismissal of this action, with prejudice as to Plaintiffs’ individual claims, and without prejudice as to the claims of any alleged class members. No motion for class certification has been filed and no class has been certified in this action. Accordingly, class notice and Court approval of the settlement are not required under Fed R. Civ. P. 23(e).

In accordance with the terms of this Stipulation and their Settlement Agreement, the parties request that the Court dismiss with prejudice Plaintiffs’ individual claims and dismiss without prejudice the claims of any alleged class members, and retain jurisdiction to interpret and enforce the terms of the Confidential Settlement Agreement and Release entered into by the parties.

By: **CARLSON LYNCH LTD**

/s/ R. Bruce Carlson

R. Bruce Carlson
bcarlson@carsonlynch.com
PNC Park
115 Federal Street – Suite 210
Pittsburgh, PA 15212
Telephone: 412-322-9243
Facsimile: 412-231-0246

*Attorneys for Plaintiffs
Ron Kolesar and
Blind Ambitions Groups*

By: **MCGRATH MCCALL, P.C.**

/s/ Nicholas A. Didomenico

Nicholas A. Didomenico
ndidomenico@lenderlaw.com
Three Gateway Center
401 Liberty Avenue, Suite 1375
Pittsburgh, PA 15222
Telephone: 412-281-4333
Facsimile: 412-281-2141

*Attorneys for Defendant
1st Choice Community FCU*

CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2013, I electronically filed the foregoing *Stipulation of Dismissal* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ R. Bruce Carlson
R. Bruce Carlson